

REMARKS

Reconsideration and withdrawal of the rejection of all of the claims in the application (i.e., Claims 1-23) is respectfully requested in view of the foregoing amendments and the following remarks.

Initially, Applicant has amended the Specification to correct certain figure numbers. More particularly, the palm portion of the embodiment in Figure 18 should be reference number 102''' not 103''. Furthermore, each of the reference numbers directed to Figure 18 should be have four prime notations, not 3 prime notations. In addition, applicant has also amended the Specification to correct a spelling error on page 14. Reference number 103 refers to two spaced apart downwardly-depend~~ing legs~~ not lugs.

Concerning the objection to the Drawings as failing to show the "two downwardly depending legs" as set forth in Claim 13, Applicant respectfully points out that these claimed elements are illustrated in Figure 14 as legs 103. They are also described in the specification on page 14, lines 15-19 as being part of the palm portion 102''' and, specifically, that they straddle the mouse 10 and can be affixed to the lower lateral sides of the mouse with self sticking pads 103'. Accordingly, Applicant submits that because this feature is illustrated, there is no need for replacement drawings

With respect to the Section 112 rejection of Claim 13 relative to the claim limitation "two downwardly depending legs", Claim 13 specifically sets forth that the

two downwardly depending legs are part of the palm portion, as now made clear by the correction to the specification and the discussion relative to Fig. 14 noted above (see page 14, lines 15-19).

Turning now to the 103 rejection of the claims, at the outset, it should be noted that at the heart of Applicant's invention, is a finger and/or hand guide for a computer mouse which does not require the user to grip the sides of the mouse in order to lift the mouse, and which allows the hand to stay in a relaxed position. As a result, there is decreased stress to the hand, and by extension, to the arm, shoulder and neck of the user.

In the ordinary use of a computer mouse, there is constant lifting and repositioning of the mouse when a user's mouse gets to the edge of a mouse pad. As pointed out in the specification, conventional computer mice require that the mouse be gripped between the user's thumb and middle finger and this gripping produces stress and tension to the hand, arm, shoulder and body of the user. When one grips a computer mouse one can feel tension in one's hand. However, by raising the fingers back to a flat open position, the tension is released. The present invention essentially allows a user to move and lift the mouse without gripping it. As will be discussed in greater detail hereinafter, it is respectfully submitted that the cited art neither discloses nor suggests this novel feature of the Applicant's invention.

More particularly, while Chen discloses a finger rest structure of a computer mouse which encourages an open, relaxed hand position, it does not prevent the hand from gripping the mouse and, in fact, a gripping action is needed to lift the mouse of

Chen as with any ordinary mouse. The finger rest unit of Chen is disposed on two lateral sides of the mouse housing ('870, spec., col. 2, lines 35-36) and are provided "to bear most of the weight of the hand and reduce the frictional force of the hand against the table." ('870, spec., col. 1, lines 48-50). This reduction of frictional force facilitates the moving of the mouse, however, Chen makes no reference or suggests that the mouse need not be gripped in order to lift the mouse. ('870, spec., col. 2, lines 30-34). Indeed, it is clear from the drawings of Chen that if the user raised his hand upwardly, the user's hand would simply lift off the finger rest structure causing no movement of the mouse; one would still have to grip the sides of the mouse to lift it. In contrast, Applicant's invention not only provides for a relaxed positioning for the hand when using a mouse it also allows for the lifting of the mouse without gripping it by simply raising one's hand; this is because of the positioning of the finger guides as defined in independent Claims 1 and 14.

In addition, the secondary references to Scenna, Wei, and Adler do not cure these basic and crucial deficiencies of the primary reference. Here again, these patents offer no suggestion whatsoever of positioning the finger guides in such a manner so that the mouse may be moved without gripping its lateral opposite sides. Accordingly, it is respectfully submitted that the novel features of Applicant's invention are neither anticipated nor rendered obvious by any of the cited prior art, applied alone or in combination.

Finally, Applicant hereby requests a one-month extension of time in which to respond to the outstanding Office Action. Credit Card payment form no. PTO-2038 in the amount of sixty dollars (\$60.00) is enclosed herewith to cover the official filing fee. The Commissioner is hereby authorized to credit any overpayment or charge any fee deficiency to Deposit Account No. 07-0130.

In view of the foregoing, it is respectfully submitted that the invention as presently claimed defines a mouse which is patentable over the cited prior art. Accordingly, reconsideration and withdrawal of the rejection and allowance of the application to issue at an early date is earnestly solicited.

Respectfully submitted,

GARY ROGERS



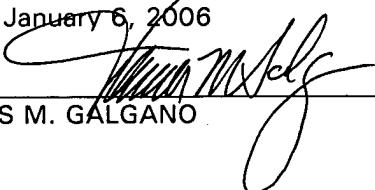
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on January 6, 2006

By: THOMAS M. GALGANO Date: January 6, 2006